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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF ARIZONA**

Voltage Pictures, LLC, a California Limited  
Liability Company } No. 13-00728-PHX-SMM  
Plaintiff, }  
v. }  
John and Jane Does 171-208, and Black and }  
White Companies 171-208, }  
Defendants. }  
Answer of Vinh and Hoa Dang  
Tran

## Defendant's Answer

1. COME NOW the defendants Vinh and Hoa dang Tran, (hereinafter referred to as “Defendants”), by and through their attorney, and submits Defendant’s Answer to Plaintiff’s Complaint for Copyright Infringement (“Complaint”):

## Facts

2. Defendant lacks sufficient knowledge or belief to admit or deny Plaintiff's statements in ¶s 3-49 of Plaintiff's complaint and therefore denies them. Defendant has no

knowledge of ever using "BitTorrent" and therefore further denies the allegations outlined in ¶s 50-78 of Plaintiff's complaint.

### **Jurisdiction**

3. Defendants admit that they reside in this District, but defendants deny that they have committed any acts of copyright infringement.

### **Parties**

4. Defendants deny any knowledge of copyright infringement, or knowledge of how to commit the copyright infringement described in the complaint. Having no knowledge of any infringing acts defendants deny that they are a correct party for this action.

### **Count I**

5. Defendants deny ever having used any type of peer to peer downloading software. Defendants deny any knowledge of how to obtain or use peer to peer downloading software. Defendants deny downloading "Maximum Conviction," or ever watching "Maximum Conviction." Having no knowledge of ever using "BitTorrent," ever downloading the video "Maximum Conviction," or indeed ever watching the video "Maximum Conviction" defendants deny that "Defendant's conduct infringe[d] upon Plaintiff's exclusive right of reproduction and distribution that are protected under the Copyright Act."

### **Count II**

6. As stated above, Defendants deny any knowledge of or knowledge of any use of "BitTorrent" software. Having never used this software, it would be impossible for defendants to have committed contributory infringement by "distributing pieces of the file amongst one another."

### **Count III**

7. Defendants have no knowledge of ever downloading a torrent file, opening it using a bit torrent client, or entering it into a "torrent swarm," and therefore deny participating in any sort of civil conspiracy against Plaintiff.

## Count IV

8 Defendants deny that they failed to adequately secure their access to the Internet.

9. Defendants further deny that the standard applicable to ordinary and prudent person in securing their Internet connection involves the highly sophisticated knowledge of complex file sharing conspiracies as contested by Plaintiff.

10. Defendants are willing to comply with a permanent injunction against any infringing activities, as Defendants have not, and have no plans to download Plaintiff's video "Maximum Conviction" that was somehow uploaded to the Internet.

11. Defendants request that no fees, statutory damages, or any other relief be granted to Plaintiff as Defendants did not commit the acts specified in Plaintiff's complaint.

RESPECTFULLY SUBMITTED

February 6, 2014,

By Sidney Wolitsky  
SIDNEY F. WOLITZKY  
Attorney for Defendant